

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

10/511746

PCT/JP2003/006956



Applicant's or agent's file reference NP-1906W	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP2003/006956	International filing date (day/month/year) 02 June 2003 (02.06.2003)	Priority date (day/month/year) 03 June 2002 (03.06.2002)
International Patent Classification (IPC) or national classification and IPC G11B 5/73, C03C 3/087		
Applicant HOYA CORPORATION		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 18 November 2003 (18.11.2003)	Date of completion of this report 01 April 2004 (01.04.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP2003/006956

I. Basis of the report

1. With regard to the elements of the international application:*

☒ the international application as originally filed

☐ the description:

pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

☐ the claims:

pages _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____

☐ the drawings:

pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

☐ the sequence listing part of the description:

pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

☐ the language of publication of the international application (under Rule 48.3(b)).

☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP 03/06956

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1, 7-12	YES
	Claims	2-6	NO
Inventive step (IS)	Claims		YES
	Claims	1-12	NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims		NO

2. Citations and explanations

Claims 1 to 12

Document 1: JP 10-67537 A (Carl-Zeiss Stiftung), 10 March 1998, entire text; all drawings & DE 19616679 C1 & US 5846280 A

Document 2: WO 99/06333 A1 (Hoya Corporation), 11 February 1999, entire text; all drawings (Family: none)

Documents 1 and 2 set forth a glass substrate for an information recording medium, wherein the amount of alkali metal ions which are dissolved out has been reduced, therefore the inventions set forth in claims 1 and 7 to 12 lack novelty and do not involve an inventive step.

Document 3: JP 2001-126234 A (Nippon Sheet Glass Co., Ltd.), 11 May 2001, paragraph [0041] (Family: none)

Document 4: JP 2000-293844 A (Ishizuka Glass Co., Ltd.), 20 October 2000, entire text; all drawings (Family: none)

Document 5: JP 2000-293846 A (Ishizuka Glass Co., Ltd.), 20 October 2000, entire text; all drawings (Family: none)

Document 6: JP 2000-82211 A (Hoya Corporation), 21 March 2000, entire text; all drawings & EP 968974

A1 & US 6312841 B1

Document 7: JP 11-180738 A (Hoya Corporation), 6 July
1999, entire text; all drawings & EP 968975
A1

Document 3 sets forth a similar composition of a glass substrate to that described in claims 2 to 6 of this application, and the technique of reducing the amount of alkali metal ions which are dissolved out is known, as described in documents 4 to 7, therefore it would be easy for a person skilled in the art to apply the technique set forth in documents 4 to 7 to the invention described in document 3. With regard to the composition of glass substrate described in this application, the composition ratio is not acknowledged to be critically significant in the light of the comparative examples and embodiments of the description of this application.

Document 8: JP 11-60265 A (Hoya Corporation), 2 March
1999, claim 5 (Family: none)

Document 9: JP 10-255246 A (Hoya Corporation), 25
September 1998, claim 5 (Family: none)

As described above, reducing the amount of alkali metal ions which are dissolved out is a known issue in said technical field, and it is known that it is preferable for the glass transition temperature of a glass substrate to be high, as described in documents 8 and 9, and designing the composition ratio of the glass described in document 3 in such a manner that this issue is satisfied would be within the normal creative skill of a person skilled in the art.

Therefore the inventions set forth in claims 1 to 12 do not involve an inventive step.